



**Saskatchewan Legal Aid Commission**

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2007 - 2008 Annual Report

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# Organizational Profile and Mandate

## Mission

We promote access to justice for eligible persons through the provision of quality legal assistance.

## Vision

The Saskatchewan Legal Aid Commission will be an innovative, collaborative legal aid system that responds to the needs of low income persons.

## Legislative Mandate

The *Legal Aid Act* and *The Legal Aid Regulations* provide the legislative mandate for The Saskatchewan Legal Aid Commission.

Existing since 1974, The Saskatchewan Legal Aid Commission provides legal services to persons and organizations for criminal and civil matters where those persons and organizations are financially unable to secure these services from their own resources.

## Staff Profile

The Saskatchewan Plan uses a salaried staff delivery model for most of its applicants (93% of its cases in 2007/08). At March 31, 2008, Legal Aid had 157 staff positions located in 15 offices throughout the province.

Legal Aid is a unionized environment with approximately 85% of the staff represented by CUPE Local 1949.

Legal Aid has many long service employees with 43 (approx. 30%) of the staff employed with the organization for over 25 years.

The employment equity profile for Legal Aid breaks down as follows: 13.5% of our staff have self-declared as Aboriginal, 7.3% of our staff are persons with disabilities, and 1.2% of our staff are visible minorities. As well, 33.3% of our management team are women.

## Eligibility

Applicants are financially eligible for services if:

- they are receiving income from Social Assistance; or
- their financial resources are at Social Assistance levels; or
- the costs of obtaining the services from a private lawyer would reduce their financial resources to Social Assistance levels.

**To illustrate with a couple of examples, in 2007-2008, financially eligible persons included single people making less than \$12,000 (net) per year and families with four children with incomes less than \$23,000 (net) per year.**

## Service

Legal services are provided to financially eligible applicants if the service requested falls within the range of services provided by The Saskatchewan Legal Aid Commission, and if the matter has professional merit. Services are provided in Federal Criminal matters (adult and youth), and family law.

Immediate advice, although temporary, despite financial status is available to those arrested or detained.

Summary advice and information may be provided to anyone about a wide range of matters if they involve no more than a brief interview or telephone call.



His Honour  
The Honourable Gordon Barnhart  
Lieutenant Governor of the  
Province of Saskatchewan

May It Please Your Honour:

I have the pleasure to transmit to your Honour the Annual Report of The Saskatchewan Legal Aid Commission for the year ending March 31, 2008.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Don Morgan".

Don Morgan, Q.C.  
Minister of Justice and Attorney General



Saskatchewan  
Legal Aid  
Commission

Central  
Office

W. Brent Gough, Q.C.  
Chairperson

4502 - 201 21<sup>st</sup> Street East  
Saskatoon, Saskatchewan  
S7K 2H6

Phone (306) 933-5303  
FAX (306) 933-6764  
Toll Free 1-800-567-3764  
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THE HONOURABLE DON MORGAN, Q.C.  
MINISTER OF JUSTICE AND ATTORNEY GENERAL  
PROVINCE OF SASKATCHEWAN

Dear Mr. Morgan:

It is my pleasure to forward to you the Annual Report of The Saskatchewan Legal Aid Commission according to *The Legal Aid Act*, depicting the affairs of the Commission in the 2007-2008 fiscal year.

Respectfully submitted,

W. Brent Gough, Q.C.  
Chairperson

## Message from the Chief Executive Officer



Congratulations to Don Morgan, Q.C. on his appointment as Minister of Justice and Attorney General for Saskatchewan. Mr. Morgan is an old friend of Legal Aid having served as Chair and CEO in the early 1990's. He is well remembered and appreciated throughout the system and we are delighted that he is the Minister. While our relations with the Department of Justice and with individuals have always been exceptionally good, it is of great benefit to work with a Minister who is so intimately familiar with the actual day-to-day operations of Legal Aid.

We welcomed several new people to Legal Aid over the last year. New Commissioners are Michael Dunphy and Ken Acton who filled positions left by Karen Bright and Rod Crook respectively. We will miss Karen and Rod. They were staunch supporters of Legal Aid and they both contributed a great deal to the Commission over the time of their service. In their short time with us, Ken and Mike have also shown a commitment to Legal Aid and we look forward to working with them.

Any organization with a staff of 160 can expect there will be some turnover of employees and The Saskatchewan Legal Aid Commission has certainly experienced this. While it is always sad to lose people with whom we've worked with, it is also invigorating to welcome new faces to the fold and learn from them as they learn from us. We have also been fortunate in adding some new positions. Our new hires for the 2007-2008 fiscal year were:

Lori Shynkaruk  
Trudy Lukowski  
Mavis Busby  
Myrna McCallum  
Julian Demkiw  
Bill Archer  
Rhonda Fiske  
Lucy Dunlop  
Mary McAuley  
Cindy Nijssen

Kim Zaleschuk  
Alicia Kennedy  
Carson Demmans  
Amy Novakovski  
Gregory Lyndon  
Lori Froehlich  
Crystal Murray  
Owen Griffiths  
Suzanne Jeanson  
Lorelie Kallio

We are delighted to have them all.

This year marks the completion of our last three year Strategic Plan and of course, the inauguration of a new plan. While in the past the Legal Aid Commission has taken advantage of the thoughts and suggestions of a wide variety of stakeholders and community organizations for setting its goals and plans, it was decided that this year we would look inward. The experience and abilities of our own people with those with we serve, those who work along side of us, and the institution in which we function provides a rich source of visionary ideas. We decided to tap this.

The plan was developed over a period of several months by doing just that – asking the staff, Commissioners and Legal Directors what goals we should be aiming for and how do we achieve them. It was an enlightening and sometimes surprising process.

Julian Demkiw, our new Director of Planning and Administration showed himself to be a wonderful facilitator and organizer and the success of the endeavour is due in no small part to his efforts. Nonetheless, we can all be proud of the new plan which will be approved in June 2008. It is everybody's effort.

In April 2008 Legal Aid took over the representation of Youth charged under the Youth Criminal Justice Act who had previously been represented by

Court Appointed Counsel. This was the culmination of almost a year of discussion and negotiation with Court Services and consultations with the private bar. It represents a significant step in the expansion of the Legal Aid service base and fits well within our mandate. While we will be watching the progress of this initiative closely, it appears so far to have been a success.

In late 2007, the Minister's joint committee on Access to Justice presented three reports: Northern Access; Youth and Family Access; and Unrepresented Litigants Access. In each case, the recommendations of the committees named The Saskatchewan Legal Aid Commission as a key player in any proposed solution to the challenges identified. Obviously cost is always a limiting factor, but it is encouraging that the people most familiar with the issues relating to Access to Justice recognize that Legal Aid's role is of singular importance and should be enhanced. There are plans to move forward with several of the recommendations and we are excited at the prospect.

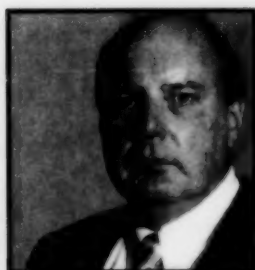
Of necessity, a year end review such as this concentrates on larger, more general accomplishments. It must never be forgotten, however, that the real value of Legal Aid is measured in the thousands of cases and individual encounters which occur day to day in the offices and court rooms in the province of Saskatchewan. Anything we hope to achieve will, in the final result, be achieved one client at a time. As always, the professionalism and dedication of our staff, lawyers, legal assistants and all support staff ensure our success.

Allan T. Snell, Q.C.  
Chief Executive Officer

## Members of the Commission



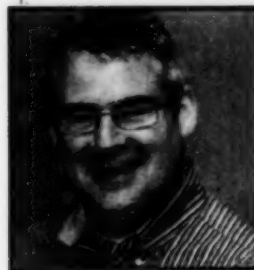
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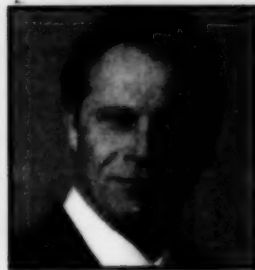
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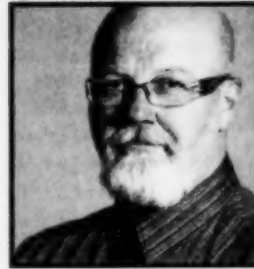
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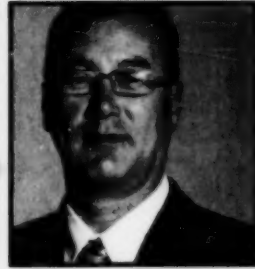
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1. W. Brent GOUGH, Q.C., Chair  
Saskatoon  
Appointed by Lieutenant Governor in Council

2. Robert KENNEDY, Q.C., Vice Chair  
Saskatoon  
Appointed by Law Society of Saskatchewan

3. Karen BRIGHT, Regina  
Appointed by Minister of Community  
Resources [to Oct. 07]

4. Rod CROOK, Regina  
Appointed by Minister of Justice

5. Victor DIETZ, Q.C., Regina  
Appointed by Law Society of Saskatchewan

6. Orlo DREWITZ, Saskatoon  
Appointed by Lieutenant Governor in Council

7. Michael DUNPHY, Saskatoon  
Appointed by Minister of Community  
Resources [from Oct. 07]

8. Dexter KINEQUON, La Ronge  
Appointed by Lieutenant Governor in Council

9. Wendy LEMAIGRE, Buffalo Narrows  
Appointed by Lieutenant Governor in Council

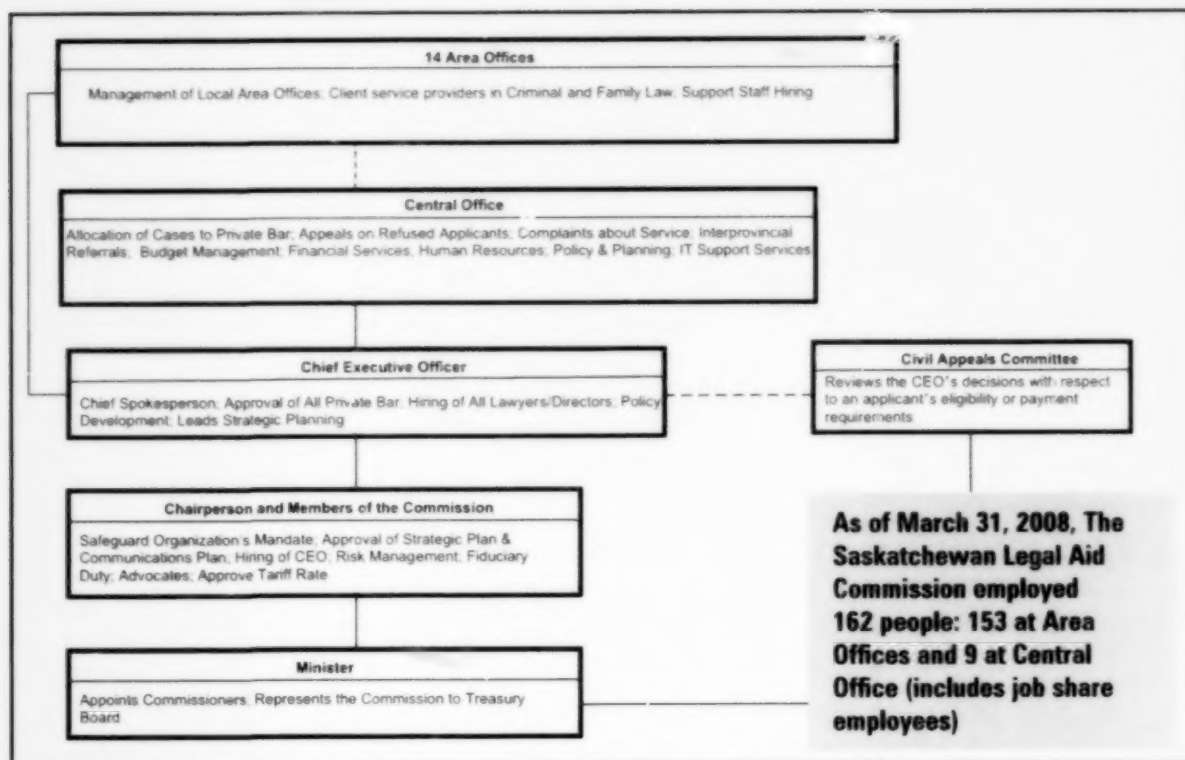
10. Alma WIEBE, Q.C., Saskatoon  
Appointed by Lieutenant Governor in Council

11. Shirley WOLFE-KELLER, Invermay  
Appointed by Lieutenant Governor in Council

Members from April 1st, 2007  
to March 31st, 2008

The Legal Aid Act provides for the appointment of ten members – two appointed by the Law Society of Saskatchewan, six members appointed by the Lieutenant Governor in Council, one member who is an employee of the Department of Justice appointed by the Minister of Justice, and one member who is an employee of the Department of Community Resources appointed by the Minister of Community Resources.

# Organizational Structure



## Management Team

**Allan Snell, Q.C.**  
Chief Executive Officer

**Jerome Boyko**  
Director of Finance

**Julian Demkiw**  
Director of Planning & Administration

**Dona Jones**  
Director of Human Resources

**David Andrews, Q.C.**  
Director, Regina Rural Area Office

**David Bright**  
Director, Yorkton Area Office

**George Combe**  
Director, Saskatoon City Criminal Legal Aid Area Office

**Pamela Cuelenaere, Q.C.**  
Director, Prince Albert Area Office

**Kimberly Earing**  
Director, Northern Area Office

**Janice Lawrence, Q.C.**  
Director, The Battlefords Area Office

**Adrian McBride**  
Director, Swift Current Area Office

**Donald Mullord, Q.C.**  
Director, Saskatoon Rural Area Office

**Rosanne Newman**  
Director, Meadow Lake Area Office

**Michael Ryan, Q.C.**  
Director, Regina City Area Office

**Mervyn Shaw, Q.C.**  
Director, Moose Jaw Area Office

**Kelly Soder**  
Director, Saskatoon City Family Legal Aid Area Office

**James Struthers, Q.C.**  
Director, South East Area Office

**Barry Treacy, Q.C.**  
Director, Melfort Area Office

**Alice Robert**  
Acting Director, Northern Area Office (from July 07)

**Lisa Wilhelm Skopyk**  
Acting Director, Prince Albert Area Office (from Sept. 07)



# Offices of The Saskatchewan Legal Aid Commission

## Central Office

#502 - 201 21st Street East  
SASKATOON SK S7K 2H6  
Phone 933-5300 FAX 933-6764  
Toll Free: 1-800-667-3764  
E-Mail: [central@legalaid.gov.sk.ca](mailto:central@legalaid.gov.sk.ca)  
Chief Executive Officer: Allan T. Snell, Q.C.

## Saskatoon City Criminal Legal Aid Area Office

#1053 - Sturdy Stone Centre  
122 Third Avenue North  
SASKATOON SK S7K 2H6  
Phone 933-7820 FAX 933-7827  
Toll Free: 1-877-424-1898  
Legal Director: George Combe

## Meadow Lake Area Office

Unit #3, 101 Railway Place  
MEADOW LAKE SK S9X 1X6  
Phone 236-7636 FAX 236-7634  
Toll Free: 1-800-461-8188  
Legal Director: Rosanne Newman

## Prince Albert Area Office

Box 3003, 11th Floor, McIntosh Mall  
800 Central Avenue  
PRINCE ALBERT SK S6V 6Z2  
Phone 953-2850 FAX 953-2866  
Toll Free: 1-877-424-1900  
Legal Director: Pamela Cuelenaere, Q.C.

## Northern Area Office

Box 5000  
Mistasihiik Place, 1328 La Ronge Avenue  
LA RONGE SK S0J 1L0  
Phone 425-4455 FAX 425-4472  
Toll Free: 1-800-667-4095  
Legal Director: Kimberly Earing

## South East Area Office

Main Floor, 1302 3rd Street  
ESTEVAN SK S4A 2V6  
Phone 637-4620 FAX 637-4625  
Toll Free: 1-877-424-1903  
Legal Director: James Struthers, Q.C.

## South East Area Office

(Sub-office address):  
Box 2003, 110 Souris Avenue  
WEYBURN SK S4H 2Z9  
Phone 848-2341 FAX 848-2562  
Toll Free: 1-877-424-1907

## Swift Current Area Office

3rd Floor, 350 Cheadle Street West  
SWIFT CURRENT SK S9H 4G3  
Phone 778-8272 FAX 778-8307  
Toll Free: 1-877-424-1905  
Legal Director: Adrian McBride

## Regina City Area Office

#200 - 1942 Hamilton Street  
REGINA SK S4P 2C5  
Phone 787-8760 FAX 787-8827  
Toll Free: 1-877-424-1897  
Legal Director: Michael Ryan, Q.C.

## Saskatoon Rural Area Office

#941 - Sturdy Stone Centre  
122 Third Avenue North  
SASKATOON SK S7K 2H6  
Phone 933-7855 FAX 933-7854  
Toll Free: 1-877-424-1899  
Legal Director: Donald Mullord, Q.C.

## The Battlefords Area Office

Main Floor, Provincial Building  
1192 102nd Street  
NORTH BATTLEFORD SK S9A 1E9  
Phone 446-7700 FAX 446-7598  
Toll Free: 1-877-441-4418  
Legal Director: Janice Lawrence, Q.C.

## Melfort Area Office

P.O. Box 6500  
3rd Floor, 105 Crawford Avenue East  
MELFORT SK S0E 1A0  
Phone 752-6220 FAX 752-6127  
Toll Free: 1-877-424-1901  
Legal Director: Barry Treacy, Q.C.

## Moose Jaw Area Office

#113 - 110 Ominica Street West  
MOOSE JAW SK S6H 6V2  
Phone 694-3700 FAX 694-3738  
Toll Free: 1-877-424-1902  
Legal Director: Mervyn Shaw, Q.C.

## Yorkton Area Office

#301 - 120 Smith Street East  
YORKTON SK S3N 3V3  
Phone 786-1440 FAX 786-1405  
Toll Free: 1-877-424-1904  
Legal Director: David Bright

## Regina Rural Area Office

#200 - 2400 College Avenue  
REGINA SK S4P 2C5  
Phone 787-1141 FAX 787-2316  
Toll Free: 1-877-424-1906  
Legal Director: David Andrews, Q.C.

## Saskatoon City Family Legal Aid Area Office

#155 - Sturdy Stone Centre  
122 Third Avenue North  
SASKATOON SK S7K 2H6  
Phone 964-2200 FAX 964-2222  
Toll Free: 1-877-324-2200  
Legal Director: Kelly Soder

## Highlights of 2007-2008

**After 26 years of service in our Central office, Executive Director of Administration, Laura Lacoursiere retired in the summer of 2007.**

**Merv Shaw, Legal Director of our Moose Jaw Area Office received the honorary designation of Queen's Counsel.**

**Elaine Kowalski, a Legal Assistant in our Regina office retired after 28 years.**

**Gloria Tkachuk, a Legal Secretary in our Melfort Office retired after over 30 years of service.**

**Over 130 staff participated in planning process in order to develop the organization's strategic plan.**

**Over 18,000 people received full professional services from Saskatchewan Legal Aid.**

**Over 21,000 people received professional advice or duty counsel services Legal Aid.**

### **Return on Investment – Canadian Centre for Justice Statistics 2007/08**

Annually, the Canadian Centre for Justice Statistics (CCJS) releases a report that compares each legal aid plan across Canada. The report is comprehensive and contains about 30 tables of information comparing applications, caseloads, and administrative costs. By comparison, The Sask. Legal Aid Commission is shown to be a cost-effective program that serves more clients per capita than any other legal aid plan in western Canada.

#### **Cost Effective Service**

Saskatchewan is home to the most cost effective legal aid system in the country. As a percentage of overall expenditures, Saskatchewan spends only 7% of its budget on central administration compared to 13% in BC, 14% in Alberta, and 22% in Manitoba.

#### **Uniquely Saskatchewan**

Saskatchewan currently runs on a staff model plan with 93% of its cases handled by on-staff lawyers. Other plans in western Canada are either judicare based (primarily private lawyers) or mixed (both staff and private lawyers).

#### **Cases per Capita**

In 07/08, Saskatchewan had the highest number of approved applications per capita in western Canada. When compared with their populations, Saskatchewan handles twice the number of cases of BC, Alberta, and even Ontario.

One may think that Saskatchewan handles more cases because its eligibility criteria are broader but when compared to other provinces, Saskatchewan eligibility levels are on par or below other Legal Aid plans in Canada. In BC and Ontario, an individual is eligible for legal aid even though they may have double the amount of income of an applicant in Saskatchewan.<sup>1</sup> A 2006 report commissioned by Legal Aid Manitoba states that their eligibility levels are "far more generous than Saskatchewan's"<sup>2</sup>. Saskatchewan simply has more lower-income individuals accessing its services.

### **Essential Role in Justice – The Defense of All Youth Charged under the Youth Criminal Justice Act (YCJA)**

In 2007/08, The Saskatchewan Legal Aid Commission developed a proposal that would increase service and save money by expanding its scope to offer legal services to all youth charged in criminal matters. The proposal was officially approved when changes to the Legal Aid Regulations was passed by the provincial cabinet. Previously, Legal Aid had applied both its financial and range of service requirements to all applicants, including youth.

*Bound by the Youth Criminal Justice Act (YCJA), courts are required to*

<sup>1</sup> Legal Aid Alberta, *Comparative Study of Legal Aid Plans* (Sept. 2006), 25

<sup>2</sup> Legal Aid Manitoba, *Operational Review: Legal Aid Manitoba* (Mar. 2006) 16

## Highlights of 2007-2008

provide legal counsel to individuals under the age of 18 charged under the Act if they so need it. Until recently, this meant that youth coming from low-income families could access Legal Aid, while youth that fell outside of Legal Aid's guidelines could receive legal support through counsel appointed by the Courts.

This effectively created two legal support systems -- both using public funds.

Recognizing the inefficiencies inherent in operating parallel administrative structures, the Government of Saskatchewan and The Saskatchewan Legal Aid Commission entered into discussions to allow Legal Aid to administer this essential legal service. This change was predicated on the belief that a more effective use of public funds could be found by expanding the scope of Legal Aid in youth matters. With over 75 lawyers on staff and 14 offices across Saskatchewan, the Government believed that Legal Aid was uniquely positioned to take on this expanded role. Legal Aid is excited about the opportunity to serve more clients and is looking at 2008/09 as a year of transition as the program becomes part of the regular administration of Legal Aid services. Legal Aid's expanded role took effect in April 2008.

**Saskatchewan currently runs on a staff model plan with 93% of its cases handled by on-staff lawyers.**

### Community Connections – Legal Aid Pathfinder Project

A unique partnership between a theatrical company and Legal Aid brought a creative approach to crime prevention through a province-wide tour of schools and communities. Called "Pathfinder: The Choice is Yours," this tour was co-presented by the Saskatchewan Legal Aid Commission and the Saskatchewan Native Theatre Company (SNTC), and funded through the Law Foundation of Saskatchewan Legal Aid Endowment Fund Trust.

This prevention/education tour was targeted to Grade 9 and higher students, their parents and their communities. The innovative theatre presentation drew on interactive tools to give participants an opportunity to direct the story line and see the consequences of their choices. Topics were based on real-world, common incidents seen every day in clients' experiences, including gang-related activity, underage drinking and sexual activity, shoplifting, armed robbery, and others.

The presentation was done through forum theatre that uses an interactive approach to simultaneously educate and entertain audiences. At various points during the action where the "protagonist" has to make a choice, a moderator "freezes" the actors and asks the audience to vote for which choice should be made. The action resumes, and the audience sees the consequences of their choices.

This is the second public awareness project that the two organizations have partnered on. The first in 2006 was the "Telling Our Story" project, which focused on actors from SNTC's Circle of Voices program telling dramatic stories which were used in video, audio public service announcements, on DVDs distributed widely across the province, and a special section of the Legal Aid web site.

"We share similar goals of helping our province's youth choose healthier, more productive, creative and positive lifestyles," said Donna Heimbecker, Manager of SNTC, "and each bring different talent, experience and information to the program. We provided the talent and experience to tell the stories dramatically, and Legal Aid provided the real-world information on the consequences of poor choices, and their services."

The tour made 15 stops in 13 communities, focusing on communities where Legal Aid offices are located. Estimated total attendance was more than 1,500 people, the majority of whom were students and teachers. Legal Aid hopes to continue the connections in the community by developing on-going relationships with the area schools.

# Organizational Plan

## History of Planning

Although planning is a key facet of any long-standing organization, 2002 marked the creation of The Saskatchewan Legal Aid Commission's first formal strategic plan. The plan was developed through discussions amongst the Board of Commissioners and the Management of the organization. Out of this process sprang formalized mission and vision statements as well as a list of values to guide the decisions of the organization. These were developed with both internal and external stakeholders and are as follows:

**Mission:** We promote access to justice for eligible persons through the provision of quality legal assistance.

**Vision:** The Saskatchewan Legal Aid Commission will be an innovative, collaborative legal aid system that responds to the needs of low income persons.

**Values:** Accountability, Commitment, Collaboration, Excellence, Innovation, Integrity, Responsiveness, & Respect

Evolving out of those developments, 2005 marked the beginning of a different planning process. Staff and stakeholders were brought together to provide input into the strategic directions of the organization. Building upon the mission, vision and values developed in the previous planning cycle, the Board of Commissioners and the Management of the organization took the input received from staff and stakeholders to develop propositions for the future. These propositions were developed to serve as guideposts for the organizational actions that followed this cycle. The propositions centred on three areas:

- Strong Partnerships, Relationships & Community Connectedness
- Skilled and Dedicated Staff
- Advocating for Social Justice

In the third, and latest, planning cycle, the Commission wanted to take an internal focus and engage the staff of the organization even further. As always, of paramount performance to the Commission is the dedication to serving clients and serving them well. This is why one of the main focuses of the current planning cycle was to determine how to strategically support those that have face-to-face contact with our clients everyday – the lawyers and support staff in our offices across Saskatchewan. Using the guideposts developed in the previous planning cycle, the Commission engaged staff by asking what they needed in order to serve clients to the best of their abilities. The results of those consultations are what you see in the following pages. This plan, coupled with an internally developed Communications plan, outlines how The Saskatchewan Legal Aid Commission intends to spend its time, energy, and resources over the coming year.

## Format

Each section is broken up into two parts; an area of focus and corresponding actions. The statement of purpose outlines what has been specifically identified as the problem for which the area of focus is the solution. The actions are the literal acts that the organization will take in order to assist in rectifying the issue(s) identified.

## Process

The areas of focus were the result of coordinating six planning days in which approximately 125 staff participated. Staff were asked to identify wishes that they had for "improving the organization".

Wishes were refined by the participants to five to eight areas of focus. With little effort, the areas from each session were combined to reveal six common areas of focus for the staff of Legal Aid. After developing statements of purpose for each area, staff were asked for ideas for action for each area.

To approve the process and assist in narrowing down actions to a workable format, a working group composed of representatives from the Commission Board, Legal Directors, and other staff was formed. Through discussions with the Working Group and the Management Team, you see the documented information enclosed.

## Next Steps

The next steps of the plan involve communicating to the staff the directions and determining how staff members want to provide input into the implementation. At the bare minimum, staff will be informed of the plan's progress once every three months. Each action has a 'steward' who is responsible for moving the action along and communicating progress to staff. The organizational plan will be reviewed annually and actions updated accordingly. Staff consultations will take place regularly to ensure relevancy and focus.

With the primary concern of the Commission the "long term impact of the organization and the achievement of results"<sup>1</sup>, the Board of Commissioners will continue to determine broad measures of success for the organization and discuss the broad strategy needed in order to "safeguard its mission, vision and values."<sup>2</sup> One specific goal of the Commission is to develop an evaluative framework of both the previous strategic plan and future plans, keeping the Commission dedicated to improved effort for maximum achievement of outcomes.

<sup>1</sup> Saskatchewan Legal Aid Commission, *Commissioner's Governance Policy Manual*, June, 2007, p 4

<sup>2</sup> *Commissioner's Governance Policy Manual*, p 5

# Organizational Plan

## Focus on staffing – “ensuring quality and well being”

Legal Aid believes that by focusing on staffing issues that assist in increasing capacity, clients will receive better service because more time can be spent on each file, staff will experience less stress as there will be greater capacity to share work, and well being for individuals and the organization as a whole will increase.

### STAFFING

Action	2008/09 Budget implications	Proposed Next Steps	Measurable Outcome by March 31st, 2009	Stewards	Admin. Support
Second articling students to work in Legal Aid offices	Low	CEO to make contact with Law School and provincial firms to discuss secondment	Will have successfully seconded 5-10 students	CEO	DHR
Build case for hiring more articling students	None	DHR to determine capacity of organization to take on more articling students and work out budget implications with DF	Budget recommendation on how many articling students should be hired for Legal Aid	DHR	DF
Build case for hiring more summer students	None	DHR to determine value of summer students and work out budget implications with DF	Budget recommendation on how many summer students should be hired for Legal Aid	DHR	DF
Boundary Review	None	CEO to review current court point distribution in preparation for discussion with Management Team	Boundaries will have been reviewed and distribution plan established	CEO	DPA
Short Term Private Bar Contracts	Should reduce costs	DF to work with CEO on identifying key areas and key individuals willing to enter into short-term contracts with Legal Aid.	Will have identified private bar willing to work on contract in key areas and retained their services.	DF	CEO
Floater Positions	Should be neutral	DHR to research best location to place a floater and work with the CEO to identify individuals in and out of the system interested in this type of work.	If deemed the best way to provide relief, we will have advertised and hopefully placed a floater position.	DHR	CEO
Begin Staffing Plan Development	None	DHR to work with the DPA to outline a planning framework.	A comprehensive plan will be approved by the CEO	DHR	DPA

**CEO - Chief Executive Officer**  
**DF - Director of Finance**  
**DHR - Director of Human Resources**  
**DPA - Director of Planning & Administration**



# Organizational Plan

## Focus on health & wellness – “finding the work/life balance”

Legal Aid believes that the health and wellness of staff are of paramount importance to the success of the organization. We recognize that not only are staff at risk due to increasing workloads and potentially stressful situations but that the nature of our work greatly increases the risk of stress-related conditions unique to helping professions<sup>1</sup>. By focusing on health and wellness we hope to assist staff in handling the stresses inherent in legal aid work.

### HEALTH & WELLNESS

Action	2008/09 Budget implications	Proposed Next Steps	Measurable Outcome by March 31st, 2009	Stewards	Admin. Support
Research Health & Wellness Issues	None	1) DPA to research other organizational plans to assess their health & wellness strategies. 2) Consult individual offices on area-specific issues	Recommendations on implementing a comprehensive health & wellness strategy for Legal Aid (to include budget implications)	DPA	DHR
Public Events	Low - Medium (under \$10,000)	Determine acceptable costs for a phased in approach to provide each Area Office with support	At least 5 area offices will have organized public events for their staff and partners.	DPA	
Unused Vacation Planning	None	DHR to review staff with high levels of unused vacation. Once identified, will work with them to develop a plan for taking vacation	No staff will have more than the minimum amount of vacation carry-over.	DHR	

## Focus on eligibility/range of services – “doing the research and making the case.”

Legal Aid recognizes our role as experts in the field of poverty law and the responsibility that comes with not only providing services but advocating for those we serve. It is clear that any increase in range and service will require a direct increase in resources to serve a wider pool of clientele. As a publicly funded organization we owe it to our funders to not only make the best uses of our resources but to advocate for more resources responsibly.

By focusing on eligibility and range of service issues we hope to make the case for providing more access to our services for those that need it the most. It is also recognized that an expansion of our services will provide a more diverse case load for our staff leading to an increased satisfaction in their work life.

### ELIGIBILITY & RANGE OF SERVICE

Action	2008/09 Budget implications	Proposed Next Steps	Measurable Outcome by March 31st, 2009	Stewards	Admin. Support
Contract Researcher	None	DPA to develop RFP to hire a researcher.	Report identifying unmet need for Legal Aid in Saskatchewan and identifies resource implications for changes to meet that need.	DPA	CEO
Strategic Partnerships	None	DPA to develop list of SK legal organizations that offer support for low income individuals.	A list of all SK organizations will be provided to all staff who deal directly with clients.	DPA	

<sup>1</sup> Adrian Hill, LSM, The Cost of Justice: A Desk Manual on Vicarious Trauma, 2004 [www.LPAC.ca](http://www.LPAC.ca)

# Organizational Plan

## Focus on training – “professional growth, professional services,”

Legal Aid believes that a focus on training allows all staff in our organization to remain competent and set standards thereby offering the best services to our clients. Focussing on training also places emphasis on the professional growth of staff adding to their own job satisfaction.

### TRAINING

Action	2008/09 Budget implications	Proposed Next Steps	Measurable Outcome by March 31st, 2009	Stewards	Admin. Support
In House Professional Development	Low (to accommodate attendance)	DHR will survey staff as to areas of interest/expertise. DPA will create guidelines for those interested in presenting.	There will be at least 3 seminars organized from in-house expertise.	CEO	DHR, DPA
On-Line Resources	None	DPA will coordinate current briefs and other research developed by staff on the staff-only website.	All staff will have been surveyed for contributions. All staff will be aware of on-line resource. Information will be organized and indexed appropriately. 20% of the staff will use the resource regularly.	DPA	
Experts Database	None	DPA will recruit senior individuals in the organization to act as on-call experts in specific legal areas.	We will have 10% of staff participating as experts. Each one will provide advice through the staff newsletter. All staff will be aware of resource.	DPA	
New Staff Training/Orientation	None	DHR will work with DPA to develop basic orientation guidelines for new staff. New staff will be surveyed as part of the research	We will have a set guideline for orienting new staff to Legal Aid that outlines the organizations roles and responsibilities in orienting and training new staff.	DHR/DPA	
Review of Current PD Policies & Practices	None	CEO will review current policies & practices to determine how they fit into a strategic focus to training	New and revised policies and/or committees will be in place to administer training activities.	CEO	DHR, DPA, DF

**CEO - Chief Executive Officer**  
**DF - Director of Finance**  
**DHR - Director of Human Resources**  
**DPA - Director of Planning & Administration**

# Organizational Plan

## Focus on facilities – “building first (and lasting) impressions”

Legal Aid recognizes the impact that proper facilities can have in creating a productive work environment. When we focus on facilities, our offices will run more efficiently, we will change the perception of legal aid by looking more professional, and people will feel positive about their work environment

### FACILITIES

Action	2008/09 Budget implications	Proposed Next Steps	Measurable Outcome by March 31st, 2009	Stewards	Admin. Support
Office Appearances	Low - Medium (Travel, possible consultant)	DF will contact Area Offices to determine interest and needs. DF will then seek out consultative support.	All offices will be assessed and budget implications will be determined and phased into future budgets.	DF	DPA
Filing Spaces & Practices	Low	DPA will survey each office to review logistical filing practices and state of filing rooms.	All filing rooms will be reviewed and any budget implications will be determined and phased into future budgets.	DPA	DF
Facilities Prioritization	None	DF will develop a prioritized list of new or upgraded facilities for Legal Aid.	A prioritized list will be developed and communicated to all staff on an annual basis.	DF	

## Focus on resources – “the right tools for the right jobs”

Legal Aid acknowledges the need for proper resources in order for our staff to offer the best service possible. We also recognize that different offices may require different resources to get the job done. By focussing on resources, Legal Aid will better equip our staff with the right tools in order to do their jobs.

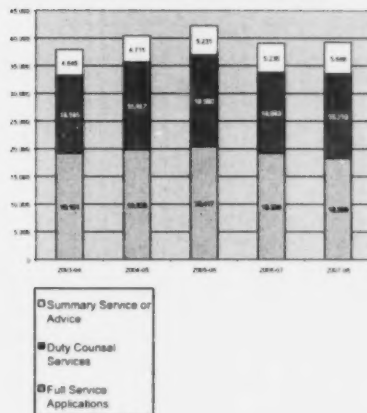
### RESOURCES

Action	2008/09 Budget implications	Proposed Next Steps	Measurable Outcome by March 31st, 2009	Stewards	Admin. Support
CMS Review & Alternatives	Low (if Law Foundation funding received)	After review is complete, the DPA will make a proposal to the Law Foundation for a new/revamped CMS system.	We will have begun the development of a new/revamped system and will be nearing completion of implementation protocol.	DPA	DF
Resource Audit of each office	Low (travel)	DF to conduct a review of equipment and technology present and requested in each office.	A protocol outlining priority setting for new resources will be developed and any budget implications will be determined and phased into future budgets.	DF	

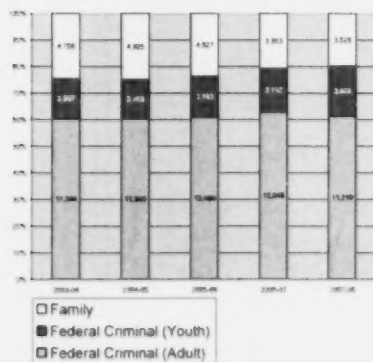


# Statistical Summaries

Five year Comparison of Services



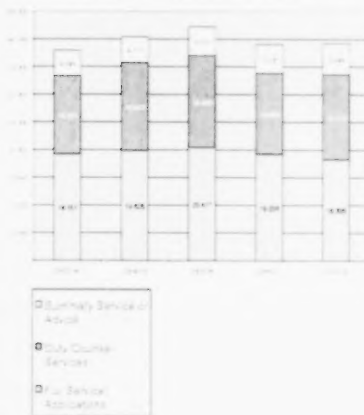
Full Service Application Breakdown by Type



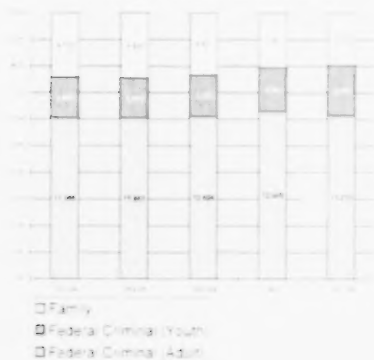
Please refer to Glossary of Terms	2007-08	2006-07	2005-06	2004-05	2003-04
<b>CLIENT SERVICES</b>					
Applications Received	20,231	21,138	22,189	21,598	21,009
Full Service Applications:					
Federal Criminal (Adult)	11,210	12,045	12,404	11,943	11,544
Federal Criminal (Youth)	3,464	3,192	3,183	2,955	2,897
Family	3,627	3,963	4,827	4,926	4,708
Civil	1	0	0	2	1
Provincial Offences	8	8	3	2	1
Total Full Service Applications	18,308	19,208	20,417	19,828	19,151
Duty Counsel Project Service	3,275	3,134	3,091	3,349	3,009
Applications Refused Service	1,923	1,930	1,772	1,770	1,858
Appeals against Refused Applications	798	773	739	605	505
Appeals to the Civil Appeals Committee	3	7	9	3	7
Summary Service or Advice	5,649	5,236	5,231	4,711	4,645
Cases Completed and Closed by Staff					
Federal Criminal (Adult)	11,119	11,440	11,700	10,958	11,044
Federal Criminal (Youth)	3,346	2,910	2,857	2,805	2,671
Family	3,463	3,960	4,775	3,797	4,401
Civil	1	0	1	1	1
Provincial Offences	8	6	3	2	0
Total Cases Completed and Closed by Staff	17,937	18,336	19,336	17,561	18,117
Cases assigned to the Private Bar Federal Criminal (Adult & Youth)	1,320	1,085	939	1078	744
Cases closed by the Private Bar Federal Criminal (Adult & Youth)	1,054	1,005	854	1072	670
Cases assigned to the Private Bar Family	268	262	197	257	198
Cases closed by the Private Bar Family	252	225	222	235	231
Duty Counsel Advice Service	12,040	11,509	13,469	12,518	11,136
Incoming Reciprocal Applications	68	63	60	66	70
Outgoing Reciprocal Applications	81	96	84	65	107

# Statistical Summaries

Five year Comparison of Services



Full Service Application Breakdown by Type



Please refer to Glossary of Terms	2007-08	2008-09	2009-10	2010-11	2011-12
<b>CLIENT SERVICES</b>					
Applications Received	20,231	21,158	22,189	21,598	21,709
Full Service Applications					
Federal Criminal (Adult)	11,210	12,345	12,404	11,943	11,943
Federal Criminal (Youth)	3,464	3,192	3,193	2,955	2,957
Family	3,627	3,983	4,527	4,428	4,708
Other	1	3	3	2	1
Provincial Offences	8	8	3	2	1
Total Full Service Applications	18,308	19,528	20,417	19,328	19,711
Duty Counsel Project Service	3,275	3,134	3,091	3,349	3,004
Applications Refused Service	1,923	1,930	1,772	1,770	1,938
Appeals against Refused Applications	798	773	719	605	508
Appeals to the Civil Appeals Commission	3	1	8	3	1
Summary Service or Advice	5,649	5,230	5,211	4,711	4,648
Cases Completed and Closed by SLC					
Federal Criminal (Adult)	11,113	11,440	11,790	10,956	11,544
Federal Criminal (Youth)	3,346	2,910	2,657	2,808	2,971
Family	3,463	3,980	4,775	3,797	4,601
Other	1	3	1	1	1
Provincial Offences	8	8	3	2	3
Total Cases Completed and Closed by SLC	17,931	18,358	19,216	17,567	18,117
Cases assigned to the Private Bar					
Federal Criminal (Adult & Youth)	1,320	1,592	939	1,078	734
Cases closed by the Private Bar					
Federal Criminal (Adult & Youth)	1,054	1,008	854	1,072	970
Cases assigned to the Private Bar					
Family	268	452	197	257	198
Cases closed by the Private Bar					
Family	252	448	220	208	201
Duty Counsel Advice Service	12,040	11,309	13,469	12,559	11,730
Outgoing Response Applications	68	53	80	68	70
Incoming Response Applications	81	98	184	85	107

# Caseload by Area Office 2007-08

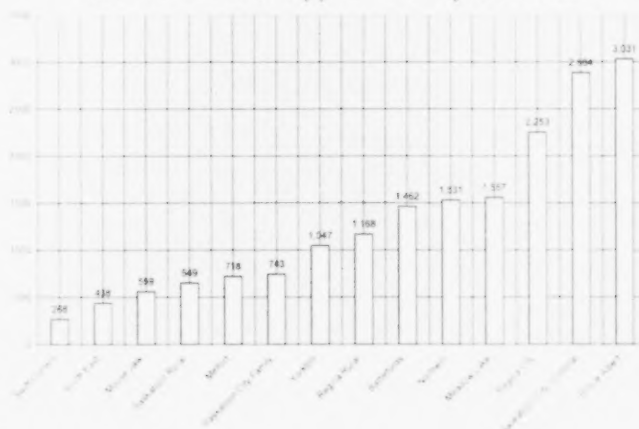
- Most of the cases for which The Saskatchewan Legal Aid Commission grants full service applications are for federal criminal – adult matters (61.2%). This is followed by family matters (19.8%), and federal criminal youth matters (18.9%).
- The number of full service applications decreased by 4.7% compared to the previous year.
- Compared to the previous year, the family law area decreased by 335 cases or 8.4%, and service for criminal law (both adults and youth and the duty counsel project in Saskatoon, Regina and North Battleford) matters increased by 141 cases or 4.5%.
- About 38% of the clients are female, 62% are male. In criminal matters, 74% were male and 26% female. In family matters, 22% were male and 78% were female.

Please refer to Glossary of Terms

AREA OFFICE	Federal Criminal - Adult	Federal Criminal - Youth	Family	Civil	Provincial Offence	Total Full Service Applications	Duty Counsel Post Project Service	Total Cases Closed	Summary Advice or Service	Duty Counsel Advice Service
Central	15	15	15	0	0	30	0	15	150	1141
Battlefords	1102	245	195	0	0	1442	4	1446	10	0
Midwest Lakes	1100	159	222	0	2	1483	0	1483	227	0
Midwest	403	173	73	0	0	649	0	649	120	21
Midwest-Jaw	275	60	241	0	0	576	0	574	35	0
Northwest	1112	301	167	0	1	1581	0	1581	161	25
Prince & York	1104	150	162	0	0	1416	0	1416	987	0
Regina City	1107	442	174	0	0	1723	90	1813	1211	0
Regina Rural	940	160	367	0	0	1467	0	1467	312	0
Saskatoon City - Criminal	2100	748	0	0	0	2848	10	2858	11	2
Saskatoon City - Family	0	0	743	0	0	743	0	743	4	0
Saskatoon Rural	980	113	147	0	0	1240	0	1240	218	0
South-East	995	25	124	0	0	1144	0	1144	544	0
South-Central	100	41	96	0	1	238	0	238	101	54
Saskatoon	970	240	225	0	2	1437	0	1437	340	0
Total Full Service Applications	11210	1464	1627	0	3	14304	0	14304		
Duty Counsel Post Project Service	1215	0	0	0	0	1215	1215	1215		
Total Closed Cases	11008	1512	2274	0	2	14816	0	14816		
Summary Advice	1470	251	1740	0	0	3461	0	3461		
Duty Counsel Advice Service	1047	164	0	0	443	1654	1654	1654		

This service is provided by private lawyers on contract. This summary advice or service information has been corrected in the electronic version from the approved version on Sept. 18th, 2008.

Total Full Service Applications by Area Office



## Caseload by Area Office 2007-08

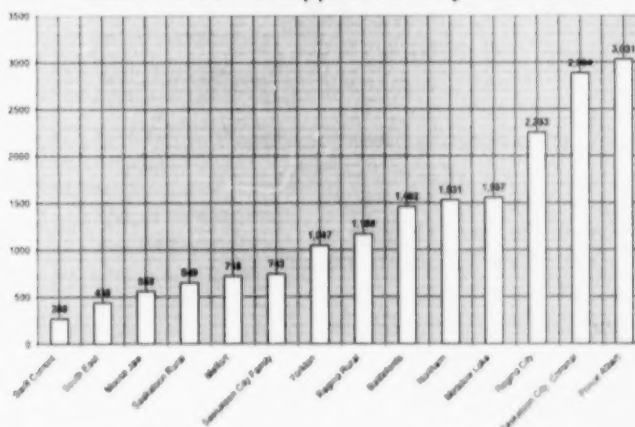
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- The number of full service applications decreased by 4.7% compared to the previous year.
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- About 38% of the clients are female, 62% are male. In criminal matters, 74% were male and 26% female. In family matters, 22% were male and 78% were female.

Please refer to Glossary of Terms

AREA OFFICE	Federal Criminal - Adult	Federal Criminal - Youth	Family	Civil	Provincial Office	Total Full Service Applications	Duty Counsel Pilot Project Service	Total Cases Closed	Summary Advice or Service	Duty Counsel Advice Service
Central	0	0	0	0	0	0	0	0	193	11,873
Battleford	1,032	245	195	0	0	1,462	4	1,465	0	0
Meadow Lake	1,110	109	242	0	2	1,567	0	1,603	637 <sup>1</sup>	0
Battleford	469	170	79	0	0	718	0	989	120	21
Moose Jaw	256	80	241	0	0	556	0	1,174	65	0
Northam	1,072	301	157	0	1	1,531	0	1,581	161	28
Prince Albert	1,874	705	352	0	0	3,031	0	2,773	957	6
Regina City	1,137	442	674	0	0	2,253	1,360	2,406	1,277	4
Regina Rural	643	163	361	1	0	1,168	0	1,175	372	8
Saskatoon City - Criminal	2,136	748	0	0	0	2,884	1,811	2,921	11	4
Saskatoon City - Family	0	0	743	0	0	743	0	550	4	0
Saskatoon Rural	383	119	147	0	0	649	0	566	219	0
South East	285	20	124	0	0	435	0	419	544	4
South Central	130	41	98	0	1	269	0	216	130	54
Yorkton	576	243	226	0	2	1,047	0	1,009	65	33
Total Full Service Applications	11,210	3,464	3,627	1	6	18,308				
Duty Counsel Pilot Project Service	3,275						3,275			
Total Cases Closed	10,068	3,122	2,212	1	7			17,337		
Summary Advice	3,476	255	1,740	124	54				4,795 <sup>1</sup>	
Duty Counsel Advice Service	9,947	1,944	5	3	643					12,040

1 This service is provided by private lawyers on contract.  
2 This summary advice or service information has been corrected in the electronic version from the approved version on Sept. 18th, 2008.

Total Full Service Applications by Area Office



# Financial Overview

## Sources of Funding

In 2007-2008, The Saskatchewan Legal Aid Commission received funding from three sources:

- Funds appropriated by the Provincial Government through Saskatchewan Justice.
- Client contributions, costs awarded by the Court on behalf of clients, interest earned on monies invested, and miscellaneous receipts.
- Grants from The Law Foundation of Saskatchewan Legal Aid Endowment Fund Trust for special projects.

The Government of Canada reimbursed the Province for some of the legal

aid expenditures on federal criminal matters (adult and youth). The contribution agreement was renewed to March 31, 2009.

## Distribution of Funding

In 2007-2008, The Saskatchewan Legal Aid Commission's budget of \$18.8 million was divided into the two general areas of direct legal service and administration. The table below shows the distribution.

## Significant Pressures on the Commission's Budget

**Increase in Case Complexity**  
While the number of adult criminal cases is declining across Canada, the average complexity of a case is increasing. Statistics Canada

includes three main factors in complexity:

- i) Cases with multiple charges,
- ii) Number of court appearances per case, and
- iii) Elapsed time from first to last court appearance.

Nationally speaking, all complexity factors are increasing across Canada. Statistics Canada states that "these factors likely played a significant role in the decline in the number of cases being completed in adult criminal courts over the last several years."<sup>1</sup> Simply put – cases may be declining but they are taking more time for the courts, and hence Legal Aid, to deal with.

As cases take more time, the total

<sup>1</sup> Statistics Canada, Juristat Vol 28, no. 5 – May 2008, p 7

	2006-07 Actuals (in \$-000s)	2007-08 Planned (in \$-000s)	2007-08 Actuals (in \$-000s)	2008-09 Planned <sup>1</sup> (in \$-000s)
<b>Operating Fund Revenue:</b>				
Appropriation	\$17,369	\$18,561	\$18,598	\$19,865
Other	\$202	\$188	\$281	\$274
Total	\$17,571	\$18,749	\$18,877	\$20,139
<b>Operating Fund Expenses:</b>				
Direct Legal Service <sup>2</sup>	\$14,778	\$16,605	\$16,669	\$18,060
Administration <sup>3</sup>	\$2,073	\$2,369	\$2,337	\$2,317
Sub-total	\$16,848	\$18,969	\$19,006	\$20,377
Purchase of Capital Assets <sup>4</sup>	\$87	\$105	\$141	\$93
Total	\$16,935	\$19,074	\$19,147	\$20,470
Operating Fund Excess (Deficiency) of Revenue over Expenditure	\$636	(\$325)	(\$270)	(\$325)
<b>Staffing Positions (at March 31st):</b>				
Lawyers	77	82	82	83
Articling Students	5	1	1	1
Legal Assistants	17	17	17	17
Support Staff/Administration	54	57	57	57
Total staffing <sup>5</sup>	149	157	157	158

- 1 Actual results for 2008-09 may vary from planned expenditures for many reasons, some of which are mentioned previously under Significant Pressures on the Budget.
- 2 Direct Legal Service expenditures include salaries & benefits, travel, provision of legal services, and other legal expenses.
- 3 Administrative expenditures include accommodation, telephone, postage, stationery & office supplies, periodicals, photocopying, and other operating expenses.
- 4 Purchase of Capital Assets are included in the Operating Fund activities of the Commission. However, for financial reporting the purchases are recorded as an increase to Capital Asset costs on the Statement of Financial Position.
- 5 Equivalent to 154 FTE (2007-08 actuals) and 155 FTE (2008-09 Planned)

This chart does not include any adjustments made in the Investments in Capital Assets Fund.

# Financial Overview

number of cases a lawyer can take on decreases. This requires more staff and also affects cases farmed out to private bar lawyers. Case complexity is beyond the control of Legal Aid yet must be accommodated in order to meet a mandate of timely access to justice.

## Private Bar Appointments

Although Legal Aid has an excellent employee retention rate (95% in 2007/08), we have found that it is difficult to fill temporary positions that offer employment for under a year. In 2007/08 we had nine temporary leaves due to sickness, parental leaves, or deferred salary leaves. In order to ensure no decline in service it was necessary to enlist the service of private bar lawyers to fill in these temporary gaps in staffing. As one can surmise, farming out these cases costs more than handling them within our own complement – but there are few alternatives for Legal Aid.

This increase in use of private bar is also coupled with an increase in the tariff rate. Since Dec.31st 2006, the hourly tariff rate for private bar lawyers increased 33% from \$60 - \$80 an hour. Greater use and higher pay resulted in 2007/08 private bar support costs to be 23% (approximately \$500,000) more than estimated. This was a 53% increase (approximately \$720,000) over 2006/07.

With little control over leaves and even less control with finding temporary staff to fill them, Legal Aid has no alternative but to pay the increased costs for private bar support

## Changes in Legislation or Supreme Court Decisions

A change in legislation or policy in any area of law, including changes to the Criminal Code and Supreme Court decisions, often has significant impact on the demand for and cost of service.

– cases may be declining but they are taking more time for the courts, and hence Legal Aid, to deal with.

Financial & Other Resources

	2007-08	2006-07	2005-06	2004-05	2003-04
Operating Fund Revenue	\$18,876,938	\$17,570,684	\$16,341,973	\$14,435,079	\$13,302,926
Operating Fund Expenses <sup>1</sup>	\$19,146,788	\$16,934,959	\$16,631,053	\$14,468,341	\$12,937,718
Operating Fund (Deficiency) of Revenue over Expenditures	(\$269,850)	\$635,725	(\$289,080)	(\$33,262)	\$365,208
Investment in Capital Assets Fund	\$284,337	\$223,166	\$206,460	\$197,280	\$301,066
Unrestricted Assets, end of year	\$205,789	\$475,639	(\$160,086)	\$128,994	\$162,256
Contribution of the Federal Government - Adult Criminal and Young Offenders <sup>2</sup>	\$4,202,560	\$2,825,457 plus Investment Fund \$1,391,259 Total: \$4,216,716	\$2,815,712 plus Investment Fund \$1,391,259 Total: \$4,206,971	\$2,826,656 plus Investment Fund \$1,869,129 Total: \$4,695,785	\$2,841,912 plus Investment Fund \$864,298 Total: \$3,706,210
Per Capita Expenditures on Legal Aid	\$19.02	\$17.15	\$16.71	\$14.54	\$13.00
Number of Employees	155	149	149	150	141
Number of members of the Private Bar actively involved in providing services under The Legal Aid Act	164	132	137	124	143

1 The Operating Fund Expenses represent the operating fund activities which include expenses for Direct Legal Service, Administration and purchase of capital assets.

2 According to Saskatchewan Justice records.

# Audited Statements

## Management's Responsibility for the Financial Statements

Management is responsible for the integrity of the financial information reported by The Saskatchewan Legal Aid Commission. Fulfilling this responsibility requires the preparation and presentation of financial statements and other financial information according to generally accepted accounting principles. These recommendations are consistently applied, with any exceptions specifically described in the financial statements.


The accounting systems used by the Commission include an appropriate system of internal controls to provide reasonable assurance that:

- transactions are authorized;
- the Commission's assets are properly kept and financial reports are properly monitored to ensure reliable information is provided for preparation of financial statements and other information;


- the accounts are properly kept and financial reports are properly monitored to ensure reliable information is provided for preparation of financial statements and other financial information.

To ensure management meets its responsibilities for financial reporting and internal control, the members of The Saskatchewan Legal Aid Commission discuss audit and reporting matters with representatives of management at regular meetings. The members of the Commission have also reviewed the financial statements with representatives of management.

The Provincial Auditor of Saskatchewan has audited The Saskatchewan Legal Aid Commission's statement of financial position as at March 31, 2008, and the statement of operations and changes in the fund balances, and cash flows for the year then ended. Their responsibility is to express an opinion on the fairness of management's financial statements. The Auditor's Report outlines the scope of their audit and their opinion.

  
Allan T. Snell, Q.C.  
Chief Executive Officer

Saskatoon, Saskatchewan  
May 16, 2008

  
Jerome Boyko, B. Comm., CA  
Director of Finance

## AUDITOR'S REPORT

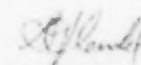
To the Members of the Legislative Assembly of Saskatchewan

I have audited the statement of financial position of The Saskatchewan Legal Aid Commission as at March 31, 2008 and the statements of operations and changes in fund balances, and cash flows for the year then ended. The Commission's management is responsible for preparing these financial statements for Treasury Board's approval. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Commission as at March 31, 2008 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Regina, Saskatchewan  
May 16, 2008

  
Fried Wendel, CMA, CA  
Provincial Auditor



**THE SASKATCHEWAN LEGAL AID COMMISSION**  
**STATEMENT OF FINANCIAL POSITION**  
**As at March 31**

	<u>2008</u>	<u>2007</u>
<b>ASSETS</b>		
Current		
Cash	\$ 1,619,271	\$ 1,965,631
Accounts receivable	87,246	73,720
Prepaid expense	<u>126,799</u>	<u>116,681</u>
Total current assets	1,833,316	2,156,032
Capital assets (Note 5)	<u>284,337</u>	<u>223,166</u>
	<u>\$ 2,117,653</u>	<u>\$ 2,379,198</u>
<b>LIABILITIES</b>		
Current		
Accounts payable and accrued liabilities (Note 6)	\$ 1,563,864	\$ 1,611,893
Deferred contributions (Note 7)	<u>63,663</u>	<u>68,500</u>
Total current liabilities	<u>1,627,527</u>	<u>1,680,393</u>
<b>FUND BALANCES</b>		
Investment in capital assets fund	284,337	223,166
Operating fund - unrestricted	<u>205,789</u>	<u>475,639</u>
	<u>490,126</u>	<u>698,805</u>
	<u>\$ 2,117,653</u>	<u>\$ 2,379,198</u>

(See accompanying notes)



**THE SASKATCHEWAN LEGAL AID COMMISSION**  
**STATEMENT OF OPERATIONS AND CHANGES IN FUND BALANCES**  
**Year Ended March 31**

	2008			2007	
	Operating Fund Budget (note 11)	Operating Fund Actual	Investment in Capital Assets Fund Actual	Total	Total
Revenue: (Note 3)					
Ministry of Justice	\$ 18,561,000	\$ 18,596,000	\$ ---	\$ 18,596,000	\$17,369,000
Grants	80,000	77,587	---	77,587	44,707
Other	<u>107,584</u>	<u>203,351</u>	<u>---</u>	<u>203,351</u>	<u>156,977</u>
	<u>18,748,584</u>	<u>18,876,938</u>	<u>---</u>	<u>18,876,938</u>	<u>17,570,684</u>
Expenses:					
Salaries and employee benefits	13,718,475	13,416,606	---	13,416,606	12,341,589
Central Office administrative (Schedule 1)	687,261	665,948	11,795	677,743	463,699
Area Office administrative and operating expenses (Schedule 1)	1,682,208	1,671,036	57,058	1,728,094	1,679,021
Provision of legal services	2,069,400	2,521,617	---	2,521,617	1,742,430
Other legal expenses	224,879	212,308	---	212,308	193,899
Travel	587,000	518,326	---	518,326	496,614
Loss on disposal of fixed assets	<u>---</u>	<u>---</u>	<u>10,923</u>	<u>10,923</u>	<u>1,001</u>
	<u>18,969,223</u>	<u>19,005,841</u>	<u>79,776</u>	<u>19,085,617</u>	<u>16,918,253</u>
(Deficiency) excess of revenue over expenses	(220,639)	(128,903)	(79,776)	(208,679)	652,431
Fund Balances, beginning of year	475,639	475,639	223,166	698,805	46,374
Transfer between funds (Note 12)	<u>(105,000)</u>	<u>(140,947)</u>	<u>140,947</u>	<u>---</u>	<u>---</u>
Fund Balances, end of year	<u>\$ 150,000</u>	<u>\$ 205,789</u>	<u>\$ 284,337</u>	<u>\$ 490,126</u>	<u>\$ 698,805</u>

(See accompanying notes)

**THE SASKATCHEWAN LEGAL AID COMMISSION**  
**STATEMENT OF CASH FLOWS**  
**As at March 31**

	<u>2008</u>	<u>2007</u>
Cash provided by (used in)		
<b>OPERATING ACTIVITIES</b>		
Appropriation funds received	\$ 18,596,000	\$17,419,000
Cash received from grants	76,500	44,706
Cash received from other income	191,672	163,942
Cash payments for salaries and benefits	(13,781,192)	(12,198,961)
Cash payments for other suppliers	(3,225,565)	(2,609,706)
Cash payments for legal services	<u>(2,062,828)</u>	<u>(1,677,429)</u>
Net cash (used in) provided by operating activities	(205,413)	1,141,552
<b>INVESTING ACTIVITIES</b>		
Purchase of capital assets	<u>(140,947)</u>	<u>(87,509)</u>
Net (decrease) increase in cash	(346,360)	1,054,043
Cash, beginning of year	<u>1,965,631</u>	<u>911,588</u>
Cash, end of year	<u>\$ 1,619,271</u>	<u>\$ 1,965,631</u>

*(See accompanying notes)*

**THE SASKATCHEWAN LEGAL AID COMMISSION**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**March 31, 2008**

*The Legal Aid Act* came into force on September 1, 1983 by Order in Council 1275/83 and continued The Saskatchewan Community Legal Services Commission as a body corporate under the name of The Saskatchewan Legal Aid Commission. The purpose of the Commission is to provide legal services to persons and organizations for criminal and civil matters where those persons and organizations are financially unable to secure those services from their own resources.

**1. Significant Accounting Policies**

These financial statements have been prepared in accordance with Canadian generally accepted accounting principles and include the following significant accounting policies:

**a) Fund Accounting**

The Commission follows the restricted fund method of accounting for contributions. For financial reporting purposes, the following major funding groups are:

**Operating Fund (unrestricted assets)**

The Operating Fund reflects the primary operations of the Commission including revenue from the Ministry of Justice for the provision of legal services.

**Investment in Capital Assets Fund (internally restricted assets)**

Investment in Capital Assets Fund reflects the equity of the Commission in capital assets. This fund includes any grants designated for the acquisitions of capital assets. The Commission would also impose a restriction that any capital purchases made with operating funds would be recorded as an interfund transfer. Expenses consist primarily of amortization of capital assets.

**b) Capital Assets**

Capital assets are recorded at cost. Normal repairs and maintenance are expensed as incurred. The capital assets are reduced annually by an amount representing the consumed cost of the asset calculated as follows:

Office Equipment and Furniture	14 2/7% per annum
Library	33 1/3% per annum

## **2. Change in accounting policy**

Effective April 1, 2007, the Commission adopted the accounting recommendations for accounting changes (Canadian Institute of Chartered Accountants (CICA) Handbook Section 1506) in accordance with the transitional provisions of the section. The new standard allows for voluntary changes in accounting policy only if they result in the financial statements providing reliable and more relevant information and that new disclosures are required in respect of changes in accounting policies, changes in accounting estimates and correction of errors.

On April 1, 2007, the Commission adopted the following new accounting standards relating to financial instruments, as issued by CICA:

- Section 3855 - Financial Instruments - Recognition and Measurement;
- Section 3861 - Financial Instruments – Disclosure and Presentation;
- Section 3865 - Hedges, and;
- Section 3251 - Equity.

The implementation of these standards had no significant impact on the financial statements of the Commission.

These standards require that all financial assets and financial liabilities be classified as held-to-maturity, held-for-trading, available-for-sale, loans and receivables, or other liabilities. In addition, the standards require all financial assets and liabilities, including all derivatives, be measured at fair value with the exception of loans and receivables, held-to-maturity investments and other financial liabilities.

The following is a summary of the Commission's financial instruments, their classification and measurement basis:

- Cash is measured at cost which approximates fair value due to the short-term maturity.
- Accounts receivable are classified as loans and receivables and are measured at amortized cost.
- Accounts payable and accrued liabilities are classified as other liabilities and are measured at amortized cost.

The Commission selected March 31, 2004, as the transition date for embedded derivatives. As a result, only contracts or financial instruments entered into or modified after the transition date were examined for embedded derivatives. The Commission does not have any embedded derivatives in host contracts.

### 3. Revenues

The following are included in revenue:

- a) Unrestricted contributions are recognized as revenue of the operating fund in the year received or receivable.

Other revenue is comprised of client contributions, cost recoveries, interest, and miscellaneous receipts.

- b) Restricted contributions related to capital assets are recognized as revenue of the investment in capital assets fund in the year received or receivable.

### 4. Pension Plan

The Commission participates in a defined contribution pension plan for the benefit of its employees. The Commission's financial obligation to The Staff Pension Plan for Employees of The Saskatchewan Legal Aid Commission (Plan) is limited to making regular payments to match the amounts contributed by the employees for current service. The Commission's annual pension expense for 2008 amounted to \$597,425 (2007 - \$475,573).

The Plan is administered and sponsored by a joint trustees arrangement. The joint trustees consist of four members, two appointed by the Commission and two appointed by C.U.P.E. Local 1949. The Commission provides day-to-day administration for the Trustees without charge to the Plan.

### 5. Capital Assets

Capital assets are comprised of the following amounts:

	2008			2007		
	<u>Cost</u>	<u>Accumulated Amortization</u>	<u>Net Book Value</u>	<u>Cost</u>	<u>Accumulated Amortization</u>	<u>Net Book Value</u>
Office equipment and furniture	\$ 850,257	\$ 573,201	\$277,056	\$ 813,902	\$ 598,017	\$ 215,885
Library	<u>907,799</u>	<u>900,518</u>	<u>7,281</u>	<u>907,799</u>	<u>900,518</u>	<u>7,281</u>
	<u>\$ 1,758,056</u>	<u>\$ 1,473,719</u>	<u>\$284,337</u>	<u>\$1,721,701</u>	<u>\$ 1,498,535</u>	<u>\$ 223,166</u>

**6. Accounts Payable and Accrued Liabilities**

	<u>2008</u>	<u>2007</u>
Supplies and services	\$ 79,352	\$ 243,594
Accrued private solicitors' fees	1,214,541	755,752
Employee salaries and benefits	<u>269,971</u>	<u>612,547</u>
	<u>\$ 1,563,864</u>	<u>\$ 1,611,893</u>

**7. Deferred Contributions**

Deferred operating contributions represent grants and externally restricted contributions for which the related expenditures have not been incurred.

	<u>2008</u>	<u>2007</u>
Balance, beginning of year	\$ 68,500	\$ 39,600
Add: Grant contributions received in the year		
Law Foundation of Saskatchewan Legal Aid		
Endowment Fund Trust	72,750	73,607
Less: Amounts recognized as revenue in the year	<u>(77,587)</u>	<u>(44,707)</u>
Balance, end of year	<u>\$ 63,663</u>	<u>\$ 68,500</u>

**8. Measurement Uncertainty**

The preparation of financial statements in accordance with Canadian generally accepted accounting principles requires management to make estimates and assumptions on accrued private solicitors' fees that affect the reported amount of accounts payable and accrued liabilities at the date of the financial statements and the reported amount of expenses during the reported period. These estimates are reviewed periodically and, as adjustments become necessary, they are reported in earnings in the period in which they become known.

**9. Related Party Transactions**

Included in these financial statements are transactions with various Saskatchewan Crown corporations, ministries, agencies, boards and commissions related to the Commission by virtue of common control by the Government of Saskatchewan and non-Crown corporations and enterprises subject to joint control or significant influence by the Government of Saskatchewan (collectively referred to as "related parties").

Facilities, vehicle rentals, office supplies, and miscellaneous office services are acquired from a related party. These transactions are recorded at rates, which are determined primarily on the basis of recovery of the costs incurred by the related party. These transactions and amounts outstanding at year end are as follows:

	<u>2008</u>	<u>2007</u>
Expenses	\$ 1,468,443	\$ 1,268,672
Accounts payable	26,297	18,926

Other operating transactions with related parties are settled at prevailing market prices under normal trade terms. These transactions and amounts outstanding at year end are as follows:

	2008	2007
Expenses	\$ 655,674	\$ 539,502
Other Revenue	20	3,643
Accounts payable	792	143,193

In addition, the Commission pays Provincial Sales Tax on all its taxable purchases. The Commission also received transcripts without charge from the Ministry of Justice, Transcript Services.

During the year, the Commission made payments in the amount of \$102,242 (2007 - \$102,242) to the Saskatchewan Legal Aid Commission Benefit Plan Surplus Fund. The intent of this fund is to cover increased premium costs of the extended health care benefits for members of C.U.P.E. Local 1949 in accordance with the Collective Bargaining Agreement. The increased premium costs are initially paid by the Commission and for 2008 the Fund reimbursed the Commission \$98,048 (2007 - \$78,935) for the increased premium costs.

Other transactions with related parties and amounts due to or from them are described separately in these financial statements and the notes thereto.

#### **10. The Law Foundation of Saskatchewan Legal Aid Endowment Fund Trust**

A Trust Deed exists between the Law Foundation of Saskatchewan and the Trustees of The Law Foundation of Saskatchewan Legal Aid Endowment Fund Trust (Trust). The Trust has been established with an endowment to assist in the Commission's mandate by:

- a) improving access to justice for persons whose own financial resources are inadequate;
- b) enhancing the ability of all Commission employees to provide legal aid service to clients, including education, research and the acquisition of research, teaching and library materials by the Commission;
- c) providing funds for research in legal and social areas related to legal aid and access to justice; or
- d) assisting otherwise in the Commission's mandate in ways not traditionally covered by government funding, and with particular emphasis on novel or innovative programs or delivery methods.

An endowment amount of \$1,100,000 has been provided to the Trust and only the net income from the Trust is available for the beneficiaries. During the year the Trust provided cash to the Commission for approved grants in the amount of \$72,750 (2007-\$77,397). In addition, the Trust has approved grants which are recorded as accounts receivable by the Commission at year end in the amount of \$64,750 (2007-\$68,500).

The Trust has five trustees, three of which are members of the Commission. They include:

- The Chair of The Saskatchewan Legal Aid Commission
- A commissioner of The Saskatchewan Legal Aid Commission, appointed by the Law Society of Saskatchewan
- A commissioner of The Saskatchewan Legal Aid Commission, appointed by the Minister of Justice (Saskatchewan)

The Commission has authorized the utilization of its staff as may be reasonably required from time to time to provide administrative support to the Trust at no fee.

#### **11. Budget**

These amounts represent the operating budget approved by members of The Saskatchewan Legal Aid Commission.

#### **12. Interfund Transfers**

The Commission internally restricted and transferred from the Operating Fund to the Investment in Capital Assets Fund \$140,947 (2007 - \$87,509) for the purchase of capital assets.



**THE SASKATCHEWAN LEGAL AID COMMISSION**  
**SCHEDULE OF ADMINISTRATIVE AND OPERATING EXPENSES**  
**Year Ended March 31**

	<u>2008</u>		<u>2007</u>
		Operating Fund	Operating Fund
	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Central Office Administrative			
Leased accommodation	\$ 177,648	\$ 281,611	\$ 40,789
Computer leases, maintenance, and support	64,915	80,543	101,719
Telephone	15,400	19,821	15,489
Postage	20,800	21,952	21,604
Stationery and office supplies	11,000	11,155	9,710
Periodicals	6,300	5,987	4,815
Photocopying	3,248	3,040	3,496
Other operating expenses	<u>387,950</u>	<u>241,839</u>	<u>259,712</u>
Total Central Office Administrative	<u>\$ 687,261</u>	<u>\$ 665,948</u>	<u>\$ 457,334</u>
Area Office Administrative and Operating Expenses			
Leased accommodation	\$ 1,008,461	\$ 1,027,657	\$ 1,051,781
Computer leases, maintenance, and support	208,085	175,184	109,493
Telephone	119,600	113,767	115,946
Postage	37,200	32,905	34,353
Stationery and office supplies	99,000	95,425	82,050
Periodicals	28,700	28,827	25,632
Photocopying	44,252	37,768	38,583
Other operating expenses	<u>136,910</u>	<u>159,503</u>	<u>157,746</u>
Total Area Office Administrative and Operating Expenses	<u>\$ 1,682,208</u>	<u>\$ 1,671,036</u>	<u>\$ 1,615,584</u>

# Glossary of Terms

**Application**

Refers to a formal written request for legal assistance. Related legal matters enumerated at the time of application are included on one application, despite the requirement for a court appearance. Separate applications are counted for criminal, family, civil or provincial offence matters.

**Appeal**

Refers to an appeal of a lower court or administrative tribunal decision, not an appeal of a refused application.

**Appeal against refusal**

Refers to an appeal of a refused application for legal services.

**Civil matters**

Refers to all other civil proceedings that are not of a family nature.

**Contribution**

Refers to that portion of the costs of legal services that an applicant, client, former client or other person may be required to pay.

**Coverage or range of service restrictions**

Refers to applications refused because the legal matter is not covered by The Saskatchewan Legal Aid Commission.

**Duty Counsel Project service**

Refers to legal services provided by a lawyer at a location other than a legal aid office, where the person assisted had not applied in writing requesting legal aid services.

**Duty counsel advice service**

Immediate, although temporary advice by telephone to arrested or detained persons, irrespective of financial status (per the Brydges decision of the Supreme Court of Canada).

**Family matters**

Refers to proceedings related to divorce, separation, maintenance, custody/access, and other matters of a family law nature.

**Federal criminal matters (adult)**

Refers to applications for matters under the Criminal Code of Canada, Narcotic Control Act, Food and Drug Act, or other Federal Statutes if the proceedings are by way of indictment; or, if upon conviction and sentence, there is a likelihood of imprisonment or loss of livelihood.

**Federal criminal matters (youth)**

Refers to applications for matters under the Youth Criminal Justice Act..

**Financial ineligibility**

Refers to reasons for refusing an application based on some financial information revealed by the applicant about income, assets and liabilities.

**Full service application**

Refers to an application that is granted legal services.

**Full Time Equivalent (FTE)**

Refers to a statistical number that takes into account the number of total hours worked by all employees divided by the maximum number of compensable hours in a work year.

**Interprovincial reciprocity agreement**

Refers to the informal agreement among Legal Aid Plans in Canada to handle nonresident civil matters. Applicants must request legal services in the province/territory of home, rather than in the province/territory where the legal recourse is sought.

**Merit, lack of**

Refers to applications refused because the nature of the case or the seriousness of the matter does not warrant legal assistance.

**Merit, professional**

Some or all of the following are considered:

- is this case one that a reasonable person of modest means would commence or defend?
- are the legal costs of commencing or defending an action reasonable compared with the relief asked for?
- what is the seriousness of the legal or economic outcomes?
- what are the potential benefits to the client?
- is there a possible defence to a charge?
- has the client been cooperative, such as keeping appointments, keeping in touch with the office after a move, etc.?
- has the client accepted reasonable professional advice from the assigned lawyer?

**Non-compliance/abuse**

Refers to refusals based on an applicant's prior or current experience with The Saskatchewan Legal Aid Commission. Included are applications where the services applied for are abusive of the legal process or failure to cooperate with the lawyer.

**Prepaid expenses**

Payments made during the year that relate to goods and services that will not be received until subsequent fiscal years (includes items such as professional dues, memberships and subscriptions).

**Provincial offence matters**

Refers to applications for matters under provincial statutes, such as Alcohol Control Act, Wildlife and Parks Act, or Highway Traffic Act.

**Range of service or coverage restrictions**

Refers to applications refused because the legal matter is not covered by The Saskatchewan Legal Aid Commission.

**Reciprocal application**

See Interprovincial reciprocity agreement. Incoming refers to those applications coming from other jurisdictions, while Outgoing refers to those Saskatchewan sends out.

**Refused application**

Refers to all formal written requests for legal aid that have been denied legal services due to financial ineligibility, lack of merit or range of service or coverage restrictions.

**Summary advice or service**

Refers to the provision of legal advice, information, or any other type of minimal legal service to an individual involving no more than a brief interview or telephone call



